

Message Text

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PAGE 01 STATE 202022
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FM SECSTATE WASHDC
TO AMEMBASSY BONN
INFO AMEMBASSY BERLIN
USMISSION USBERLIN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION USNATO

C O N F I D E N T I A L STATE 202022

E.O. 11652:GDS

TAGS: PGOV, BQG

SUBJECT: SOVIET PROTEST ON WORLD SWIMMING CHAMPIONSHIPS
IN BERLIN

REF: WHITLOCK-JOHNSON TELCONS 8/8/78

1. DURING A CALL ON DEPUTY ASSISTANT SECRETARY LUERS ON
AUGUST 7 ON OTHER BUSINESS, SOVIET EMBASSY CHARGE VASEV
LEFT A STATEMENT PROTESTING THE ORDER OF THE FRG INTERIOR
MINISTER WHICH EXEMPTS PARTICIPANTS IN THE WORLD SWIMMING
CHAMPIONSHIPS IN BERLIN FROM PRESENTING PASSPORTS OR
REQUESTING PERMISSION TO STAY IN THE CITY. THE SOVIET
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PAGE 02 STATE 202022

STATEMENT CHARGES THAT THE ORDER IS INCOMPATIBLE WITH THE
QA AND WARNS THAT SUCH ACTIONS BY THE FRG CAN SERIOUSLY
DAMAGE THE NORMAL FUNCTIONING OF THE QA. THE TEXT OF THE
SOVIET EMBASSY'S INFORMAL TRANSLATION OF THE STATEMENT
FOLLOWS IN PARAGRAPH 4 BELOW.

2. VASEV'S PRESENTATION OF THE PROTEST WAS VERY LOW KEY.

HE DID NOT READ THE STATEMENT DURING THE MEETING AS IS
USUALLY THE CASE NOR DID HE MAKE ANY ORAL COMMENTS IN
PRESENTING IT. LUERS ACCEPTED THE STATEMENT BUT ALSO DID
NOT COMMENT ON IT.

3. THE BONN GROUP SHOULD DRAFT AN ALLIED REPLY TO BE USED
IN RESPONSE TO THIS PROTEST AS WELL AS SIMILAR ONES DELIVERED
IN LONDON ON AUGUST 8 (REF TELCONS) AND IN PARIS.

4. BEGIN TEXT

"THE ORDER OF THE MINISTER OF INTERNAL AFFAIRS OF THE FRG,
PUBLISHED IN THE BULLETIN OF FEDERAL LAWS OF THE FEDERAL
REPUBLIC OF GERMANY NO. 33 OF JUNE 28, 1978, EXEMPTS THE
PARTICIPANTS OF THE FORTHCOMING WORLD SWIMMING CHAMPIONSHIP
WHICH WILL TAKE PLACE IN THE WESTERN SECTORS OF BERLIN ON
AUGUST 18-28, FROM THE NECESSITY OF GETTING PERMISSION
TO STAY IN THE CITY AND FROM IDENTIFYING THEMSELVES BY
PRESENTING PASSPORTS. THE ORDER WAS APPROVED BY THE
BUNDESRAT OF THE FRG.

"THIS ORDER CANNOT BE CONSIDERED OTHERWISE BUT AS AN
ATTEMPT OF THE FRG TO INCLUDE THE WESTERN SECTORS OF BERLIN
INTO THE SPHERE OF COMPETENCE OF ITS GOVERNMENTAL BODIES,
TO ASSUME THE RIGHTS IN THE QUESTIONS OF STATUS AND
SECURITY. IT IS ABSOLUTELY OBVIOUS THAT SUCH ACTIONS ARE
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PAGE 03 STATE 202022

INCOMPATIBLE WITH THE PROVISION OF THE QUADRIpartite AGREE-
MENT THAT THE STATE BODIES OF THE FRG, INCLUDING BUNDESRAT
AND FEDERAL MINISTERS, CANNOT PERFORM IN THE WESTERN SECTORS
OF BERLIN CONSTITUTIONAL OR OFFICIAL ACTS WHICH CONTRADICT
THE PROVISION THAT THE WESTERN SECTORS OF BERLIN ARE NOT
A CONSTITUENT PART OF THE FRG AND ARE NOT TO BE GOVERNED
BY IT (ANNEX II, PARAGRAPHS 1 AND 2).

"IN THIS CONNECTION THE SOVIET SIDE WOULD LIKE TO REMIND
THAT IT HAD ALREADY DRAWN THE ATTENTION OF THE US SIDE
TO THE ATTEMPTS OF THE FRG TO ACT IN THE EXERCISE OF
DIRECT STATE AUTHORITY OVER THE WESTERN SECTORS OF BERLIN.
NEVERTHELESS, SUCH ATTEMPTS CONTINUE TO TAKE PLACE.

"THE SOVIET SIDE CONSIDERS IT NECESSARY TO WARN THAT SUCH
A LINE OF THE FRG CAN SERIOUSLY DAMAGE THE NORMAL FUNCTION-
ING OF THE QUADRIpartite AGREEMENT. THE SOVIET SIDE EX-
PECTS THAT THE US SIDE WILL AT LAST TAKE MEASURES TO
ENSURE STRICT OBSERVANCE OF THE QUADRIpartite AGREEMENT,
WHICH, AS IS KNOWN, REPRESENTS THE GUARANTEE OF MAINTAIN-
ING A CALM SITUATION IN THE AREA OF THE AGREEMENT."

END TEXT . VANCE

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